

0002 Rec'd 11/15/93

AFFIDAVIT OF PUBLICATION

County of Sevier, State of Utah, ss.

I, SHERRIE OKERLUND, being first duly sworn, depose and say I am the Legal Secretary of THE RICHFIELD REAPER, a weekly paper having a bona fide circulation of more than 200 subscribers in the State of Utah, published every Wednesday at Richfield, Sevier County, Utah.

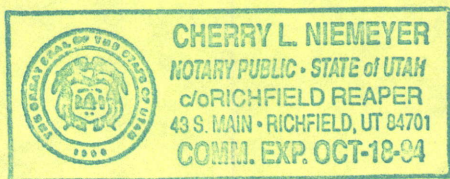
That the notice NOTICE OF EXAMPTION S-055-066 a copy of which is attached hereto, was published in said paper for ONE consecutive issues, the first publication having been made in the issue of the 13 day of JANUARY 1993, and the last publication in the issue of the 13 day of JANUARY 1993, that the said notice was published in the regular and entire issue of every number of said paper during the period of times and publication, and that the same was published in the newspaper proper and not in a supplement.

*Sherrie Okerlund*

Subscribed and sworn to before me this 13 day of JANUARY, 1993

*Cherry L Niemeyer*  
Notary Public

My Residence is Richfield, Sevier, County, Utah  
My Commission Expires October 18, 1994



Division Of Oil,  
Gas And Mining  
Department Of  
Natural Resources  
State Of Utah  
**NOTICE OF EXEMPTION**  
Cause No. S/055/066  
In The Matter Of Factory Butte  
Mineral Project, Utah State Coal  
Lease ML-45082, Located in Sec-  
tion 2, Township 27 South, Range  
9 East, SLBM, Wayne County,  
Utah  
The State Of Utah To All Opera-  
tors, Takers Of Production, Mineral  
And Royalty Owners.  
Notice is hereby given to inter-  
ested persons that based on informa-  
tion provided by Dick Shumway,  
the Utah Division of Oil, Gas and  
Mining has reason to believe that  
the extraction of humic shale and  
carbonaceous product proposed by  
Dick Shumway for portions of Sec-  
tion 2, Township 27 South, Range  
9 East, SLBM, Wayne County,  
Utah, may qualify as an exemption  
from regulation under the Utah  
Coal Regulatory Program. The ba-  
sis for the qualification for exemp-  
tion is noncommercial use as de-  
fined in Utah Admin. Code R. 645-  
100-400. Should the Division of  
Oil, Gas and Mining make the de-  
termination of exemption as pro-  
posed, reclamation of mining dis-  
turbances will still be required under  
the provisions of the Utah Mined  
Land Reclamation Act, Utah Code  
Ann. § 40-8-1 et seq.  
Persons wishing to comment on  
this proposed Division decision  
should address written comments  
to: Lowell Braxton, Associate Di-  
rector, Mining, Utah Division of  
Oil, Gas and Mining, 3 Triad Cen-  
ter, Suite 350, 355 West North  
Temple, Salt Lake City, Utah  
84180-1203, within 30 days of the  
date of this publication.  
Pursuant to the Americans with  
Disabilities Act, persons requiring  
auxiliary services to enable them to  
provide written comments should  
call Janice L. Brown at 538-5340 at  
least three working day prior to the  
30th day following publication of  
this announcement.  
Dated This 4th Day Of January,  
1993.  
State Of Utah  
Division Of Oil, Gas And Mining  
Lowell P. Braxton  
Associate Director, Mining  
Published in The Richfield  
Reaper Jan. 13, 1993.

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